

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR  
SYSTEMS PRODUCTS LIABILITY  
LITIGATION

Master File No. 2:12-MD-02327  
MDL 2327

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ETHICON WAVE 5 CASES LISTED IN  
EXHIBIT A TO DEFENDANTS' MOTION

JOSEPH R. GOODWIN U.S. DISTRICT  
JUDGE

**NOTICE OF ADOPTION OF PRIOR REPLY IN SUPPORT OF DAUBERT MOTION  
TO EXCLUDE PEGGY PENCE, PH.D., FOR WAVE 5**

Come now Defendants Ethicon, Inc. and Johnson & Johnson, and hereby adopt and incorporate by reference the Wave 3 reply in support of their *Daubert* motion to exclude the opinions of Peggy Pence, Ph.D., and memorandum in support for Ethicon Wave 5, Dkt. 3017. Defendants respectfully request that the Court exclude Dr. Pence's testimony, for the reasons expressed in the Wave 3 briefing. This notice applies to the Wave 5 cases identified in Exhibit A attached to Defendants' motion.

Respectfully submitted,

/s/ Christy D. Jones

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**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I electronically filed the foregoing document with the Clerk of the court using CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ Christy D. Jones

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